

ESTTA Tracking number: **ESTTA308126**

Filing date: **09/24/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Hudson Clothing, LLC
Granted to Date of previous extension	10/10/2009
Address	6409 Gayhart Street Commerce, CA 90040 UNITED STATES
Attorney information	J. Alison Grabell Ezra Brutzkus Gubner LLP 21650 Oxnard Stree Suite 500 Woodland Hills, CA 91367 UNITED STATES agrabell@ebg-law.com Phone:8188279000

### Applicant Information

Application No	77743414	Publication date	08/11/2009
Opposition Filing Date	09/24/2009	Opposition Period Ends	10/10/2009
Applicant	SHANGHAI SHENDA (AMERICA), LLC SUITE 700 463 SEVENTH AVE NEW YORK, NY 10018 UNITED STATES		

### Goods/Services Affected by Opposition


Class 025. All goods and services in the class are opposed, namely: Blouses; Coats; Dresses; Gloves; Hats; Jackets; Jeans; Shirts; Shoes; Shorts; Skirts; Slacks; Sneakers; Sweat pants; Sweat shirts; Sweaters; T-shirts; Undergarments
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### Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3273129	Application Date	04/19/2002
Registration Date	08/07/2007	Foreign Priority Date	NONE

Word Mark	HUDSON
Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2002/07/00 First Use In Commerce: 2002/07/00 Women's jeans

U.S. Registration No.	3385499	Application Date	05/01/2006
Registration Date	02/19/2008	Foreign Priority Date	NONE
Word Mark	HUDSON		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2002/05/00 First Use In Commerce: 2002/07/00 Clothing not made of leather, namely, jeans, pants, shirts, jackets, and skirts		

Attachments	76397437#TMSN.gif ( 1 page )( bytes ) 78873343#TMSN.jpeg ( 1 page )( bytes ) Notoice of Opposition - HOLLYWOOD H HUDSON 77743414.pdf ( 5 pages )(787119 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/J. Alison Grabell/
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Name	J. Alison Grabell
Date	09/24/2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

HUDSON CLOTHING, LLC,	)	
	)	
Opposer,	)	OPPOSITION NO.
	)	
v.	)	Application Serial No. 77/743,414
	)	
SHANGHAI SHENDA (AMERICA),	)	
LLC,	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

In the matter of the application for registration of the trademark HOLLYWOOD H HUDSON of SHANGHAI SHENDA (AMERICA), LLC as shown in Application Serial No. 77/743,414 filed May 22, 2009 and published for opposition in the Official Gazette of August 11, 2009.

Hudson Clothing, LLC ("Opposer") believes that it will be damaged by registration of the mark shown in said Application Serial No. 77/743,414, and hereby opposes the same.

As grounds for opposition it is alleged that:

1. Opposer is, and for many years has been, engaged in the business of manufacturing and selling women's clothing, namely jeans, pants, jackets, shirts and skirts in the United States.
2. Opposer Hudson Clothing, LLC is the owner of U.S. Trademark Registration Nos. 3,385,499 and 3,273,129 for the mark HUDSON as used to identify clothing not made of leather, namely, jeans, pants, shirts, jackets and skirts.
3. Opposer, or its predecessors in interest, used the mark HUDSON in the United States since at least as early as 2002 and, in any event, since prior to any date of first use that Applicant may rely upon for its mark in the United States.
4. Opposer has, for a number of years, used the mark HUDSON on a number of items, including but not limited to women's jeans, pants, jackets, shirts and skirts. Opposer's use in commerce of its HUDSON mark on such items is earlier than any date of first use that may be relied upon by the applicant for its mark HOLLYWOOD H HUDSON in connection with any of the items listed in its application.
5. The goods offered or intended to be offered by the applicant under the mark HOLLYWOOD H HUDSON are related to the goods offered by the Opposer under the mark HUDSON.

6. Consumers are likely to be confused and to mistakenly believe that Applicant's HOLLYWOOD H HUDSON goods are goods of the Opposer, or are licensed by, sponsored by, or associated with the Opposer, or that Opposer's HUDSON goods are licensed by, sponsored by, or associated with Applicant.
7. If the Applicant were permitted to use and register its mark for its goods as specified in its application, confusion among consumers resulting in damage and injury to Opposer would be caused by virtue of the related nature of the goods covered by those marks. Any defect, objection or fault found with Applicant's goods would reflect upon and seriously injure the reputation which Opposer has established under their trademark.
8. Opposer's HUDSON trademark is a famous, well-known trademark. The Applicant's use and registration of the mark HOLLYWOOD H HUDSON is likely to cause dilution of Opposer's famous trademark and to dilute the value of the Opposer's mark.

WHEREFORE, Opposer prays that said Application Serial No. 77/743,414 be rejected, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of the Opposer.

Dated: September 24, 2009 Respectfully submitted,

By

J. Alison Grabell

Todd M. Lander

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the subject Notice of Opposition was served upon the Applicant via First Class mail, postage prepaid, this 24th day of September, 2009 to the following address shown as the Attorney/Correspondent of record and to Applicant's counsel:

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463 SEVENTH AVE., SUITE 700  
NEW YORK, NY 10018

MARNI WEISS, ESQ.  
WEISS IMBESI PLLC  
462 7<sup>TH</sup> AVENUE, 12<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10018

Dated: September 24, 2009

  
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Sheri Lee Broffman